

**IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF ARKANSAS
PINE BLUFF DIVISION**

**KEVIN RAY ADKINS
ADC #113581**

PLAINTIFF

v.

Case No. 5:16-cv-00372-KGB-BD

WENDY KELLY, et al.

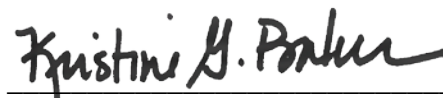
DEFENDANTS

ORDER

The Court has received and reviewed the Recommended Disposition submitted by United States Magistrate Judge Beth Deere (Dkt. No. 7). Plaintiff Kevin Ray Adkins has filed a response to the Recommended Disposition, but he does not object (Dkt. No. 8). After careful consideration of the Recommended Disposition and Mr. Adkins's response, the Court concludes that the Recommended Disposition should be, and hereby is, approved and adopted as this Court's findings in all respects.

The Court dismisses Mr. Adkins's claims based on his failure to state a federal claim for relief. The Court denies as moot all other pending motions (Dkt. No. 5). Even though Mr. Adkins's case is hereby dismissed, Mr. Adkins will still be assessed the full filing fee because the Prison Litigation Reform Act makes prisoners responsible for their filing fees the moment the prisoner brings a civil action or files an appeal. *See In re Tyler*, 110 F.3d 528, 529-30 (8th Cir. 1997). Thus, to the extent Mr. Adkins requests a refund of his filing fee, the Court denies that request.

So ordered this 25th day of August, 2017.



Kristine G. Baker
United States District Judge